

ZONING ORDINANCE
CITY OF MUSKEGON
MUSKEGON COUNTY, MICHIGAN

PREVIOUS ZONING ORDINANCES ADOPTED:

1957

1952

1925

Adopted April 28, 1987
AS AMENDED
(See next pages)

AMENDED:

(Dates shown reflect City Commission approval)

November 1988

- ✎ *Articles I, IV, and VI-IX, Sections 401, 601, and 701-901: Special Land Uses Permitted*
(Added restricted parking areas as special uses subject to provisions of Section 2302.1.)
- ✎ *Article XXIII “General Provisions”, Section 2302.1: Restricted Parking Areas*
(Added regulations for establishment and operation of restricted parking areas.)
- ✎ *Article XXIII “General Provisions”, Section 2318: Yard Fences, #a*
(Amended size requirements for fences in residential districts.)

January 1989

- ✎ *Article XIII “B-4”, Section 1301: Special Land Uses Permitted, #(10)*
(Added language regarding non-accessory signs.)
- ✎ *Articles XIV “I-1” and IV “I-2”, Sections 1400, 1500: Principal Land Uses Permitted*
(Added language regarding non-accessory signs.)
- ✎ *Article XXIII “General Provisions”, Section 2308 (1) (f): Signs*
(Added language regarding regulations for non-accessory signs.)

August 1995

- ✎ *Article XXIV “Administration and Enforcement”, Section 2407: Violations and Penalties*
(Provided for civil infractions for violation of the zoning ordinance.)

May 1996

- ✎ *Article IV “R”, Section 402: One Family Dwelling Regulations, #6*
(Amended storage space requirements in dwelling units in R-1 districts.)
- ✎ *Article VI “RT”, Section 603: Area and Bulk Requirements, #1*
(Amended storage space requirements in dwelling units in RT districts.)
- ✎ *Article X “B-1”, Section 1001: Principal Uses Permitted, #5*
(Deleted automated car washes as a permitted use in B-1 districts.)
- ✎ *Article XIII “B-4”, Section 1301: Special Land Uses Permitted, #8*
(Added commercial kennels as a special use in B-4 districts.)
- ✎ *Article XXIII “General Provisions”, Section 2301: Accessory Buildings, #4, #7*
(Amended requirements for accessory buildings and added restriction that only one accessory building is permitted per lot.)
- ✎ *Article XXIII “General Provisions”, Section 2302: Off-Street Parking Requirements, #1, #3*
(Amended restrictions against front-yard parking in any residential districts.)
- ✎ *Article XXIII “General Provisions”, Section 2303: Off-Street Parking..., #2, #7*
(Amended requirements for off-street parking spaces.)
- ✎ *Article XXIII “General Provisions”, Section 2307: Plant Materials and Landscaping*
(Amended title of the section, renumbered paragraph 1 and added a new paragraph requiring landscaping in yard areas around buildings and parking areas.)
- ✎ *Article XXIII “General Provisions”, Section 2308: Signs, #1-g*
(Amended requirements for temporary signs.)
- ✎ *Article XXIII “General Provisions”, Section 2311: Storage of Vehicles, #1*
(Amended requirements parking areas for boats, trailers, motor vehicles and recreation equipment.)
- ✎ *Article XXIII “General Provisions”, Section 2312: Reduction of Parcels...*
(Added section to prohibit reduction of parcels below the minimum required size, width or depth.)
- ✎ *Article XXIII “General Provisions”, Section 2320: Corner Clearance*
(Amended regulations on corner clearance.)

March 1997

- ✎ *Table I: Heights, Areas and Yards, “LR”, “WM”*
(Changed lot coverage limits to percentages in LR and WM zoning districts.)
- ✎ *Article XXIII “General Provisions”, Section 2308: Signs, #1-b, #1-g*
(Added regulations for special event signage and changed some wording about sign encroachment on City rights-of-way.)
- ✎ *Article XXIII “General Provisions”, Section 2315: Special Land Uses..., #2*
(Changed specific fees shown to reflect the City’s Master Fee Schedule instead.)
- ✎ *Article XXIV “Administration and Enforcement”, Section 2405: Petitions, Fees*
(Changed specific fees shown to reflect the City’s Master Fee Schedule instead.)
- ✎ *Article XXV “Board of Zoning Appeals”, Section 2502: Appeals, Applications...*
(Changed specific fees shown to reflect the City’s Master Fee Schedule instead.)

August 1997

- ✎ *Error Correction*
(Made several minor corrections and small amendments to remove inconsistencies from the ordinance.)
- ✎ *Article XI “B-2”, Section 1100: Principal Uses Permitted, #8*
(Allowed social halls and private clubs as permitted uses in B-2 districts.)
- ✎ *Article XX “H”, Section 2001: Special Land Uses Permitted, #7*
(Allowed multiple family as a special use in the H district, under certain conditions.)
- ✎ *Article II “Definitions”, relating to daycare*
(Added definitions relating to daycare.)
- ✎ *Article XXIII “General Provisions”, Section 2314: Day Care/Child Care Facilities*
(Added language to allow daycare homes and centers under certain conditions.)

December 1997

- ✎ *Article IV “R”, Section 403: Planned Unit Development Option*
(Added Planned Unit Developments as an option in the R-1 zoning district under certain conditions.)
- ✎ *Article XXIII “General Provisions”, Section 2321: Wireless Communication Service...*
(Added new section to deal with wireless towers and antenna.)
- ✎ *Article II “Definitions”, relating to wireless communication facilities*
(Added definitions relating to wireless communication towers and antenna.)

March 1998

- ✎ *Article I “Short Title”*
(Amended the short title of the Zoning Ordinance.)
- ✎ *Article II “Definitions”*
(Replaced definitions article and added graphics.)
- ✎ *Article XXIII “General Provisions”*
(Made many updates, changes and additions to sections in General Provisions.)
- ✎ *Article XIII “B-4”: ‘B-5 Governmental Service District’*
(Added new zoning district for governmental types of services.)

May 1998

- ✎ *Article XXIV “Administration and Enforcement”, Section 2407: Violation and Penalties*
(Permitted the issuance of civil infraction tickets to anyone in violation of the zoning ordinance.)

July 1998

- ✎ *Article IV “R”, Section 402: One Family Dwelling Regulations, #15*
(Stipulated that single-family dwelling construction cannot commence until a building permit has been issued.)
- ✎ *Article XXIII “General Provisions”, Section 2319: Outdoor Lighting*
(Provided for clarification of night sky regulations for outdoor lighting.)

August 1998

- ✎ *Article II "Definitions": 'Sign', #8*
(Added definition for Electronic Message Board.)
- ✎ *Article XXIII "General Provisions", Section 2334: Signs*
(Replaced entire section with new regulations for signs.)

October 1998

- ✎ *Article XIII "B-4", Section 1307: Signs*
(Repealed the sign requirements for the B-5 zoning district, as these were included in the new sign ordinance, and renumbered the rest of the sections in the article.)
- ✎ *Articles VI - XX, Sections 602 - 2002 respectively: Planned Unit Developments, Section 1603: Area and Bulk Requirements*
(Eliminated minimum acreage requirements for planned unit developments and created new section for schedule of regulations in OSC district language.)
- ✎ *Article II "Definitions": 'Mini Storage (Warehouse) Facilities'*
(Added definition for mini storage facilities.)
- ✎ *Article XIII "B-4", Section 1301: Special Land Uses Permitted, #9*
(Added mini storage facilities as a special use in the B-4 district.)

August 1999

- ✎ *Article II "Definitions": 'Family Day Care Home', 'Group Day Care Home'*
(Replaced definitions associated with daycare, which had been removed in 3/98 amendment of "Definitions".)

September 1999

- ✎ *Article XI "B-2", Section 1101: Special Land Uses Permitted, #5*
(Added language allowing hotels/motels/sleeping inns as special uses in B-2, under certain conditions.)

December 1999

- ✎ *Article IV "R", Section 401: Special Land Uses Permitted, #6*
(Added new language allowing previously existing commercial buildings to operate as special uses in R-1.)
- ✎ *Article VI "RT", Section 601: Special Land Uses Permitted, #9*
(Added new language allowing previously existing commercial buildings to operate as special uses in RT.)
- ✎ *Article VII "RM-1", Section 701: Special Land Uses Permitted, #6*
(Added new language allowing previously existing commercial buildings to operate as special uses in RM-1.)
- ✎ *Article VIII "RM-2", Section 801: Special Land Uses Permitted, #3*
(Added new language allowing previously existing commercial buildings to operate as special uses in RM-2.)
- ✎ *Article XIX, "RM-3", Section 901: Special Land Uses Permitted, #2*
(Added new language allowing previously existing commercial buildings to operate as special uses in RM-3.)

January 2000

- ✎ *Article XXIII "General Provisions", Section 2330: Site Plan Review*
(Replaced section with new regulations for Site Plan Review.)

April 2000

- ✎ *Article XV "I-2": 'WI-PUD Waterfront Industrial Planned Unit Development Districts'*
(Added new zoning district for port activities.)
- ✎ *Article II "Definitions": 'Lightering', 'Marine Cargo Handling', 'Stevedore'*
(Added definitions related to the new WI-PUD zoning district.)
- ✎ *Article IV "R", Section 404: Area and Bulk Requirements*
(Added area and bulk requirements for the R-1 district to that district's language.)
- ✎ *Articles VI - XX, Sections 603 - 2003 respectively: Area and Bulk Requirements*
(Added area and bulk requirements for each other district to that district's language.)
- ✎ *Table I: Heights, Areas, and Yards*
(Changed area and bulk requirements for all districts. Added minimum building heights, waterfront setback...)

- ✎ *Article XXIII “General Provisions”, Section 2331: Landscaping, Fencing, Walls, Screens...*
(Replaced section with new regulations for Landscaping; incorporated language for fencing, walls, screens and lighting into same section as Landscaping.)
- ✎ *Article XXIII “General Provisions”, Sections 2308, 2310, 2313, 2314, 2315, 2319, 2333*
(Reserved these sections since language was incorporated into Section 2331.)

August 2000

- ✎ *Article XXIII “General Provisions”, Section 2307: Permitted Yard Encroachments, #3, #4*
(Added Zoning Administrator waiver for setback requirements for handicap ramps; changed lot coverage to reflect previous Table I changes.)

October 2000

- ✎ *Article XXIII “General Provisions”, Section 2331: Landscaping, Fencing, Walls..., #8*
(Amended requirements for parking lot landscaping to add a sliding scale for the number of landscape islands required & to give the Zoning Administrator some flexibility to allow bump-outs, etc. on a case-by-case basis.)

November 2000

- ✎ *Article IV “R-1, Single-Family Residential”, Section 400: Principal Uses Permitted, #2b*
(Amended requirements for home occupation signage to reflect the requirements in the sign ordinance.)
- ✎ *Article VI “RT, Two-Family Residential”, Section 600: Principal Uses Permitted, #4b*
(Amended requirements for home occupation signage to reflect the requirements in the sign ordinance.)
- ✎ *Article VII “RM-1, Low-Density Multiple-Family Residential”, Section 700: Principal Uses Permitted, #7b*
(Amended requirements for home occupation signage to reflect the requirements in the sign ordinance.)
- ✎ *Article XXIII “General Provisions”, Section 2326: Off-Street Parking Requirements, #12*
(Amended the requirement for minimum parking space size to reflect the size described in the parking space definition in the Definitions section of the ordinance.)
- ✎ *Article XXV “Board of Zoning Appeals”*
(Amended language and standards for the Zoning Board of Appeals and added standards for the review of use variances by the ZBA.)
- ✎ *Article II “Definitions”*
(Deleted the definition of ‘Variance’ and added definitions of ‘Variance, Use’ and ‘Variance, Nonuse or Dimensional’.)
- ✎ *Article XXIII “General Provisions”, Section 2321: Wireless Communication Service Facilities, #4 under Overlay District Established for Wireless Communication...*
(Added a 60’ x 60’ portion of the Muskegon Community College campus to the overlay district for wireless communication support facilities.)

August 2001

- ✎ *Article IV “R-1, Single-Family Residential”, Section 402: One Family Dwelling Regulations*
(Repealed and reserved this section since language was incorporated into Section 2319.)
- ✎ *Article XXIII “General Provisions”, Section 2319: Residential Design Criteria*
(Added design criteria for all one and two-family homes in any zoning district.)
- ✎ *Article XXIII “General Provisions”, Section 2311: Accessory Structures & Buildings, #4*
(Added requirement for accessory structures to be of residential construction, properly sided and painted, and prohibits pole style storage buildings in all residential zones or developments.)

December 2001

- ✎ *Article XXIII “General Provisions”, Section 2334: Signs, #6c*
(Amended home occupation signage requirements to restrict signage to one wall sign.)
- ✎ *Article XI “B-2, Convenience and Comparison Business”, Section 1101: Special Land Uses Permitted*
(Added secondhand stores as special uses, under certain conditions.)

- ✕ *Articles VII - XX, Sections 703 - 2003 respectively, also Sections 1308 & 1507, all: Area and Bulk Requirements*
(Changed landscaping requirement for front setback to require 50% be landscaped, with conditions.)
- ✕ *Table I "Heights, Areas, and Yards", Table Notes, #9*
(Changed landscaping requirement for setbacks to refer to landscaping requirements.)
- ✕ *Article XXIII "General Provisions", Section 2331: Landscaping, Fencing, Walls..., #5*
(Changed landscaping requirement for front setback to require 50% be landscaped, with conditions.)

January 2002

- ✕ *Article XII "B-3, Central Business", Section 1201: Special Land Uses Permitted*
(Added specialized adult educational programs as special uses, under certain conditions.)

February 2002

- ✕ *Article XXIII "General Provisions", Section 2326: Off-Street Parking and Loading*
(Amended standards and requirements for parking areas and parking spaces)
- ✕ *Article XXIII "General Provisions", Section 2327: Restricted Parking Areas*
(Repealed and reserved this section)
- ✕ *Article XXIII "General Provisions", Section 2328: Off-Street Parking Space Layout, Standards, Construction and Maintenance*
(Repealed and reserved this section since language was incorporated into Section 2326.)
- ✕ *Article IV "R One Family Residential Districts", Section 401: Special Land Uses Permitted, #1(e)*
(Deleted since language was incorporated into Section 2326.)
- ✕ *Articles IV & VII, Sections 401 & 701 respectively, both: Special Land Uses Permitted, #9*
(Deleted since language was incorporated into Section 2326.)
- ✕ *Article VI "RT Two Family Residential Districts", Section 601: Special Land Uses Permitted, #12*
(Deleted since language was incorporated into Section 2326.)
- ✕ *Article VIII "RM-2 Medium Density Multiple-Family Residential Districts", Section 801: Special Land Uses Permitted, #6*
(Deleted since language was incorporated into Section 2326.)
- ✕ *Article IX "RM-3 High Density Multiple-Family Residential Districts", Section 901: Special Land Uses Permitted, #5*
(Deleted since language was incorporated into Section 2326.)
- ✕ *Article V "MHP Mobile Home Park Districts", Section 511: Off-Street Parking*
(Repealed and reserved this section since language was incorporated into Section 2326.)
- ✕ *Article XIII "B-4 General Business Districts", Section 1301: Special Land Uses Permitted, #4(b)*
(Deleted since language was incorporated into Section 2326.)

April 2002

- ✕ *Article XXIII "General Provisions", Section 2319: Residential Design Criteria*
(Added minimum floor sizes for apartment units.)
- ✕ *Article XXIII "General Provisions", Section 2334: Signs*
(Added signage requirements for legal businesses in residential zoning districts.)
- ✕ *Article XXIII "General Provisions", Section 2321: Wireless Communication Service Facilities*
(Changed the height requirements for WCAs placed on existing buildings.)

May 2002

- ✕ *Article XI "B-2 Convenience and Comparison Business", Section 1101: Special Land Uses Permitted*
(Added private schools operated for profit, as special uses.)

- ✎ *Article XIII “B-4 General Business”, Section 1300: Principal Uses Permitted*
(Added private schools operated for profit, as principal permitted uses.)

June 2002

- ✎ *Article XI “B-2 Convenience and Comparison Business”, Section 1100: Principal Uses Permitted & Section 1101: Special Land Uses Permitted*
(Added contractors’ offices with associated indoor storage - special uses if storage exceeds 5,000 sq. ft.)

July 2002

- ✎ *Article XXIII “General Provisions”, Section 2323: Flood Hazard Areas, #3*
(Changed minimum floor elevation requirements to reflect State requirements.)

August 2002

- ✎ *Article XXIII “General Provisions”, Section 2318: Keeping of Animals*
(Repealed and reserved this section since the language was incorporated into a separate City ordinance.)
- ✎ *Article XI “B-2 Convenience and Comparison Business”, Section 1100 Principal Uses Permitted*
(Added recording studios.)
- ✎ *Articles XI - XIII (B-2, B-3, & B-4), Sections 1101 - 1301 respectively: Special Land Uses Permitted*
(Added live music concert halls as special uses, under certain conditions.)

October 2002

- ✎ *Article XXIII “General Provisions”, Section 2324: Temporary Buildings, Structures & Uses*
(Amended the regulations regarding temporary uses, structures and buildings.)
- ✎ *Article II “Definitions”*
(Amended the definitions of ‘building line’, ‘carport’, ‘lot lines’, ‘setback’ and ‘yard’.)
- ✎ *Article II “Definitions”, Section 201: Diagrams, Graphics and Illustrations Pertinent to the Definitions in This Ordinance*
(Added a new graphic as Figure 2.9 to help show front building lines and other definitions for corner lots.)
- ✎ *Article IV “R One Family Residential Districts”, Section 404: Area & Bulk Requirements*
(Amended the regulations regarding setback measurement, and zero lot line option to clarify their meaning regarding yards and setbacks.)
- ✎ *Articles VI - XX (RT, RM-1, RM-2, RM-3, B-1, B-2, B-3, B-4, I-1, I-2, OSC, OSR, LR, WM, H), Sections 603 - 2003 respectively: Area & Bulk Requirements*
(Amended the regulations regarding setback measurement, and zero lot line option to clarify their meaning regarding yards and setbacks.)
- ✎ *Article XIII “B-4 General Business Districts”, Section 1308: Area & Bulk Requirements*
(Amended the regulations regarding setback measurement, and zero lot line option to clarify their meaning regarding yards and setbacks.)
- ✎ *Article XV “I-2 General Industrial Districts”, Section 1507: Area & Bulk Requirements*
(Amended the regulations regarding setback measurement, and zero lot line option to clarify their meaning regarding yards and setbacks.)
- ✎ *Table I “Heights, Areas, and Yards”, Table Notes, #7*
(Changed the explanation of how setbacks are measured.)
- ✎ *Article XXIII “General Provisions”, Section 2306: Allocation of Lot Areas & Configuration of Lots*
(Amended the regulations for determining setbacks for corner lots.)
- ✎ *Article XXIII “General Provisions”, Section 2307: Permitted Yard Encroachments*
(Amended the reference to ‘setback’ to remove the word ‘yard’.)
- ✎ *Article XXIII “General Provisions”, Section 2311: Accessory Structures & Buildings; Section 2316: Storage of Vehicles; Section 2317: Exterior Swimming Pools & Hot Tubs*
(Amended the references to ‘yard’ to remove the word ‘setback’.)

- ✎ *Article XXIII “General Provisions”, Section 2331: Landscaping, Fencing, Walls, Etc.*
(Amended the regulations for fencing to clarify the words ‘yard’ and ‘setback’ and the regulations for corner lots.)

November 2002

- ✎ *Article II “Definitions”*
(Amended the definitions dealing with adult foster care facilities.)
- ✎ *Article IV “R One Family Residential Districts”, Section 400: Principal Uses Permitted*
(Amended the regulations regarding adult foster care facilities.)
- ✎ *Articles VI - IX, and XX (RT, RM-1, RM-2, RM-3, H), Sections 600 - 900, 601 - 801 and 2000 respectively: Principal Uses Permitted*
(Amended the regulations regarding adult foster care facilities.)
- ✎ *Articles IV, VI, VII, and XX (R-1, RT, RM-1, H), Sections 400, 600, 700 and 2000 respectively: Principal Uses Permitted*
(Amended the regulations regarding home occupations and added the language to the H district.)

February 2003

- ✎ *Article XXIII “General Provisions”, Section 2326: Off-Street Parking and Loading*
(Added downtown parking overlay district)
- ✎ *Article VI “RT Two-Family Residential Districts”, Section 601: Special Land Uses Permitted, #4*
(Deleted home offices for physicians and other professionals)
- ✎ *Article VII “RM-1 Low Density Multiple Family Residential Districts”, Section 701: Special Land Uses Permitted, #4 & #5*
(Deleted home offices for physicians and other professionals and hospitals)
- ✎ *Article VIII “RM-2 Medium Density Multiple Family Residential Districts”, Section 801: Special Land Uses Permitted, #2*
(Deleted hospitals)
- ✎ *Article IX “RM-3 High Density Multiple Family Residential Districts”, Section 901: Special Land Uses Permitted, #1*
(Deleted hospitals)
- ✎ *Article XXIII “General Provisions”, Section 2322: Day Care/Child Care Facilities*
(Added daycares as uses in the MC district)
- ✎ *Article VII “RM-1”: ‘MC Medical Care Districts’*
(Added new zoning district for medical care activities and facilities)
- ✎ *Article II “Definitions”*
(Added definition of 'campus')
- ✎ *Article XXIII “General Provisions”, Section 2334: Signs*
(Added #10, 'Campus Signage')

April 2003

- ✎ *Article XXIII “General Provisions”, Section 2326: Off-Street Parking and Loading, #4*
(Removed #4, correction related to previous downtown parking overlay amendment.)